

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

Tauheedah Richardson

Case No: 4:02-CR-60-7H

USM No: 23259-056

Date of Original Judgment: August 14, 2007

Date of Previous Amended Judgment: July 16, 2009

Thomas P. McNamara

(Use Date of Last Amended Judgment if Any)

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of _____ months **is reduced to** _____

Although provisions of the Fair Sentencing Act of 2010 are applicable, pursuant to § 1B1.10(b)(2)(A), and absent a previous reduction resulting from the granting of a substantial assistance motion, the court is not authorized under 18 U.S.C. § 3582(c) and the corresponding policy statement to reduce the term of imprisonment (currently 168 months) to less than the minimum of the amended guideline range of 188 to 235 months.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated _____ shall remain in effect. **IT IS SO ORDERED.**

Order Date: 7/13/12


Judge's signature

Effective Date: _____

(if different from order date)

Malcolm J. Howard, Senior U.S. District Judge
Printed name and title